

**WIZMUR GORDON & FINBERG, LLP**

**Layne S. Gordon, Esquire  
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Attorney for Debtors**

**IN RE:**

**FRANK GIOSA and  
KAREN BARBATO GIOSA**

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**:UNITED STATES BANKRUPTCY COURT  
:DISTRICT OF NEW JERSEY  
:  
:  
:CHAPTER 7  
  
:CASE NO. 05-33296/GMB  
:  
: NOTICE OF MOTION TO CONVERT  
: CASE FROM CHAPTER 7 TO CHAPTER 13  
: PURSUANT TO 11 U.S.C. §706**

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**To: John W. Hargrave, Chapter 7 Trustee  
117 Clements Bridge Rd.  
Barrington, NJ 08007**

**Frank & Karen Giosa  
13 Royalty Lane  
Laurel Springs, NJ 08021**

**PLEASE TAKE NOTICE** that the Debtor(s), Frank & Karen Giosa, through counsel, Wizmur Gordon & Finberg, LLP, and Layne S. Gordon, Esquire appearing shall move before the Honorable Gloria M. Burns, United States Bankruptcy Court, 401 Market Street, Camden, New Jersey on the 3<sup>rd</sup> day of October, 2005 at 10:00 a.m. or as soon thereafter as counsel may be heard for an Order Converting Debtor's Case from a proceeding under Chapter 7 of the U.S.B.C. to a proceeding under Chapter 13, pursuant to 11 U.S.C. §706.

**PLEASE TAKE NOTICE** that if you wish to contest the within Motion you must file Opposition with the office of the Clerk of the United States Bankruptcy Court, and serve the undersigned, within seven (7) days in advance of the aforesaid hearing, responding papers stating with particularity the basis of your opposition to the within Motion.

**MOVANT SHALL RELY UPON THE ATTACHED CERTIFICATION.**

As the facts and/or law the Debtor relies upon, as set forth in the accompanying Motion, and the basis for said Motion, do not present complicated or unique questions, it is hereby submitted that no brief is necessary in the Court's consideration of the within Motion.

Dated: September 6, 2005

**WIZMUR GORDON & FINBERG, LLP**  
Attorney's for Debtor(s)

/s/ Layne S. Gordon  
Layne S. Gordon, Esquire